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Revitalization of the work of the General Assembly

Report of the Ad Hoc Working Group on the Revitalization of the General Assembly

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I. Introduction

1. By its resolution 61/292, the General Assembly decided to establish an ad hoc working group open to all Member States to:

(a) Evaluate and assess the status of implementation of relevant resolutions;

(b) Identify ways to further enhance the role, authority, effectiveness and efficiency of the Assembly, inter alia, by building on previous resolutions, and to submit a report thereon to the Assembly.

2. The present report and the recommendations contained herein are submitted pursuant to that resolution.

3. During the sixty-second session of the General Assembly, on 26 November 2007, the President of the General Assembly appointed two chairmen, Ambassador Eladio Loizaga, Permanent Representative of Paraguay to the United Nations, and Ambassador Andrzej Towpik, Permanent Representative of Poland to the United Nations, of the Working Group.

4. Before formally beginning its work, the co-chairs of the Working Group conducted informal meetings with various Member States and representatives of different political groupings. During those meetings the co-chairs benefited extensively from the insights and ideas of Member States on both the substance and the technical and procedural aspects of the revitalization process.

II. Proceedings

5. The Working Group held 7 meetings on 21 February, 30 May, 19 and 24 June, 21 and 31 July and 11 September 2008.

6. The programme of work was organized in three practical stages: (a) general discussion and exchange of views on all issues related to revitalization; (b) general discussion on the status of implementation of relevant General Assembly resolutions on revitalization; and (c) detailed analysis of the status of implementation, based on the inventory/chart (see para. 10 below). At each of those stages, delegates identified ways to further enhance the role, authority, effectiveness and efficiency of the General Assembly.

General debate on the revitalization of the work of the General Assembly

7. At its 1st meeting, on 21 February, the Working Group held a general discussion on the revitalization of the General Assembly. The background document before the Group was the report of the Secretary-General (A/62/608).[1]

8. During the discussion, delegations touched upon many pertinent problems, including relations between the main organs of the United Nations (particularly between the General Assembly and the Security Council), the timely issuance of reports, the importance of thematic debates, the visibility of the Assembly and the role of the President of the General Assembly. In each instance, an effective and fair assessment of the status of implementation was identified as vital to further progress in revitalization.

[1] Several delegations expressed their disappointment over late issuance of the report.

9. Member States supported the approach adopted by the co-chairs of focusing on the assessment of implementation of past General Assembly resolutions on revitalization. Consequently, the co-chairs offered to prepare and present the Working Group with a synopsis of all resolutions on revitalization in order to indicate where and by whom the implementation of decisions was still required and to streamline and further facilitate the process. The synopsis would be based on the information contained in the relevant reports of the Secretary-General and comments by Member States.

General discussion on the status of implementation

10. In a letter dated 9 May, the co-chairs circulated an inventory/chart of all relevant provisions on revitalization starting from the fifty-first session of the General Assembly. The chart and the explanatory note have been posted on the website of the President of the General Assembly (http://www.un.org/ga/president/62/issues/rga).[2] To facilitate the assessment of relevant provisions, the chart defined the following three general clusters: Cluster I (working methods, documentation, agenda, etc.), Cluster II (selection of the Secretary-General) and Cluster III (role and authority of the General Assembly), which were subdivided into different thematic areas.

11. The chart was formally introduced by the co-chairs at the 2nd meeting of the Working Group on 30 May. In their introductory remarks, the co-chairs indicated that the chart was not definitive and might be amended at any time by Member States, if necessary, and that it was not intended to, nor did it have, any legal effect. It was solely meant to serve as a mechanism to facilitate the discussion and to indicate where implementation or additional clarification might still be needed.

12. The chart was welcomed by all delegations as an important and useful tool to assess the status of implementation and to identify ways to enhance the effectiveness and efficiency of the General Assembly.

13. During the review that followed, Member States underlined that the best way to revitalize the General Assembly was to ensure implementation of previous resolutions on the matter. At the same time, it was indicated that a large number of provisions on revitalization had already been implemented in a satisfactory manner. Some delegations noted, in this context, that in order to make a fair assessment of the progress achieved so far, a parallel should be drawn between the quantity of provisions implemented and their quality. Some argued that it was important to analyse the reasons for the lack of implementation of resolutions before engaging in the identification of ways to strengthen the Assembly. Some delegations suggested that the Secretary-General should present information on a number of mandates adopted within a given year in his annual reports, including their implementation status. In that context, a recommendation was made that the Secretary-General should continue to report on the implementation of resolutions on revitalization, taking the chart devised by the co-chairs as a model. One delegation proposed that the Working Group should prepare a document compiling selected provisions contained in the chart that continue to be relevant to the day-to-day conduct of business of the Assembly and annex it to the Assembly's rules of procedure.

[2] The chart and explanatory note will be issued in an addendum to the present report.

14. Delegations deplored late issuance of reports by the Secretariat, including the late issuance of the report on revitalization. In that context, a suggestion was made by some delegates that the Secretariat should give the specific reasons for the delay in the issuance of reports. Delegations also underlined that in order to make the work of the General Assembly more action-oriented, reports could be streamlined, where possible, and documentation reduced.

15. The current practice of briefings by the Secretary-General to the General Assembly and the organization of thematic debates by the President of the General Assembly were broadly supported. Some delegations indicated the need to assess thematic debates in respect to their outcomes and follow-up. Others suggested that the structure of thematic debates could be reviewed in order to generate a more interactive format that promotes dialogue among Member States, leading to tangible progress. Delegations also stressed that the Secretary-General's briefings could be organized more frequently in a periodic manner.

16. Several delegations underlined that the General Assembly should continue to engage actively in priority areas, including peace and security, the new peacebuilding architecture, development and the Millennium Development Goals, and to discuss current issues of major relevance. Some delegations underlined the need for an analysis on how the ongoing considerations on Security Council reform, system-wide coherence and mandate review could contribute to revitalization.

17. Many delegations underscored the lack of balance among and between the principal organs and indicated that it was essential to re-establish the balance between the main bodies of the Organization, as set out in the Charter of the United Nations.

18. Many delegations noted that the provisions relating to the selection of the Secretary-General were the least implemented provisions of the overall revitalization efforts and expressed the opinion that the procedures for selection of the Secretary-General should be considered well before the start of the next selection process. In that context, some delegations recalled the importance of the relevant article of the Charter and the relevant General Assembly resolutions.

19. Comments were also made with regard to the General Committee, which, due to its limited membership, should act strictly within its remit, as indicated in the rules of procedure.

20. Member States indicated the need to improve the public visibility of the General Assembly, inter alia, through enhancing contacts with civil society and a more proactive approach by the Department of Public Information.

21. The importance of the application of modern technologies to the work of the General Assembly was underlined by Member States, taking into consideration the need to address the digital gap. Special emphasis was given to the question of optical scanners. The co-chairs recirculated the proposal by the Secretariat, prepared and distributed in May 2007, which included three options for a voting system. Some delegations indicated the need for a separate meeting during which an additional explanation could be provided by the Secretariat.

22. In conclusion, the Working Group agreed to the proposal of the co-chairs to conduct a cluster-by-cluster examination of the chart. Many delegations added that

the Working Group should focus on what is achievable with a view to helping the General Assembly exercise its full authority.

Detailed discussion on the status of implementation

23. At its 3rd and 4th meetings, on 19 and 24 June, the Working Group conducted a cluster-by-cluster examination of the chart, followed by comments and clarifications by representatives of the Secretariat concerning matters related to its mandate.

A. Cluster I

(working methods, documentation, agenda, etc.)

24. With respect to item 1 (consolidated version),[3] delegations were informed that document A/520/Rev.17 had now been issued. With respect to item 2 (precedents and past practices), the Secretariat made the following clarification:

> The Office of Legal Affairs has been working closely with the Department of Public Information on this issue. The Office has concluded the process of compiling precedents and past practice with respect to the rules and practices of the intergovernmental bodies of the Organization. The information gathered will be made available in the public domain shortly, following the translation of the document into all six official languages.

25. With respect to item 3 (meeting on time), several delegations emphasized the importance of implementing this provision. With respect to item 5, which was scheduled over two substantive periods, some delegations proposed to set this issue aside, having in mind the difficulty in practical implementation of the provision.

26. With respect to item 11 (optical scanners), the Working Group had before it a letter from the co-chairs dated 18 June transmitting a document entitled "General Assembly paper ballot voting proposals" prepared by the Secretariat in May 2007. A number of delegations expressed interest in detailed discussions either in a separate meeting of the Working Group or in the Fifth Committee in the context of the capital master plan, while others cautioned against re-opening the discussions on the capital master plan (see para. 21 above). The Secretariat commented as follows:

> The renovation of the Conference Building will not be completed until 2011, and the General Assembly Building renovation will be completed in mid-2013. With technology systems, it is always wise to make design decisions as late as reasonably possible, as these industries change so quickly.
>
> The voting systems for the conference swing space, the North Lawn Conference Building, will have a system integrated with the simultaneous interpretation system, but will be similar to the current functionality in that it will be a three-button voting system. The voting boards will not be a lighted system as in the existing buildings, but will use a projection screen method.
>
> In the long term, the goal is also to have a voting system completely integrated with the simultaneous interpretation system. This would enable a

[3] This instance and other brief descriptions of items are taken from the bolded texts in the chart, which is to be issued in an addendum to the present report.

smart card feature, if desired, that could apply to both systems. The existing voting displays would be retained.

The options described in the attached proposal dated 25 May 2007 could be taken into account as follows:

Option A: An optical scanning solution could be implemented if requested. This would be a stand-alone system, which may be preferable to some users;

Option B: A wireless system with a wireless touchpad has not been analysed or considered to date, as far as the Working Group has been informed. The issues to be resolved would be feasibility, maintenance, reliability and security;

Option C: A hardwired electronic voting system using a smart card could be implemented.

27. Advantages and disadvantages of the three options were discussed. In particular, it was indicated that option A would not bring about effective time savings, while options B and C seemed not to fully meet secrecy requirements. There was general agreement to revert to the issue at a later stage in the Fifth Committee.

28. With respect to item 17 (update of the note), several delegations asked why the note on the control and limitation of documentation (A/58/CRP.7) had not been updated by the Secretary-General. The Secretariat responded as follows:

A/58/CRP.7 was composed of a note and three annexes. The only element that could be updated is annex II, which is a complete list of consolidation proposals that covered all of the then existing reporting mandates. The other parts/annexes are drafting guidelines (annex I, "Further measures suggested for Economic and Social Council machinery", and annex III, "Drafting guidelines for reports not totally within the purview of the Secretariat").

Out of the 32 proposed consolidated reports listed in A/58/CRP.7, annex II, 27 have been issued which consolidated altogether 109 reports (see table below for details).

Summary of reports consolidated as proposed in A/58/CRP.7, annex II

Number of consolidated reports proposed: 32
Number of proposals implemented: 27

Author department/office	*Number of reports*	*Number of reporting mandates*	*Number of mandates covered in each consolidated report*
Department for Disarmament Affairs	3	9	2, 4, 3
Department of Economic and Social Affairs	6	13	3, 2, 2, 2, 2, 2
Department of Management	11	57	8, 7, 4, 6, 2, 2, 12, 3, 6, 2, 5
Department of Political	1	13	13

Author department/office	*Number of reports*	*Number of reporting mandates*	*Number of mandates covered in each consolidated report*
Affairs			
International Civil Service Commission	1	2	2
Office for the Coordination of Humanitarian Affairs	3	9	2, 5, 2
Office of the United Nations High Commissioner for Human Rights	1	2	2
Office of Internal Oversight Services	—	—	—
United Nations Office on Drugs and Crime	—	—	—
United Nations Children's Fund	1	2	2
Total	**27**	**109**	**109**

> As mandated in General Assembly resolution 33/56, the Secretariat will continue to "draw the attention of intergovernmental bodies to areas where duplication of documentation is likely to occur and/or where opportunities for integrating or consolidating documents that deal with related or similar themes might exist with a view to rationalizing documentation".

29. With respect to item 19 (number of reports requested to be rationalized), many delegations expressed the view that it would be technically impossible to consolidate reports that are considered in different organs, while another delegation stated that it favoured the consolidation of reports wherever possible.

30. With respect to item 21, delegations expressed concern about the late issuance of some reports, including ones on financing of peacekeeping operations submitted to the Fifth Committee, and asked the Secretariat for a detailed explanation on the compact that the Department for General Assembly and Conference Management had entered into with the Secretary-General. The Secretariat provided the following explanation:

> It needs to be clarified at the beginning that there are three concepts in the management of pre-session documents: submission of documents by author departments to the Department for General Assembly and Conference Management, which is the processing department; processing of documents by the Department; and issuance of documents to intergovernmental bodies for consideration.
>
> The Secretariat has been strictly implementing the mandated 10-4-6 week rule for the submission/processing and issuance of pre-session documents (namely submission of documents 10 weeks before consideration, processing of documents within four weeks and issuance of documents six weeks before

consideration). As mandated by General Assembly resolution 47/202, a few intergovernmental bodies have opted for an 8-4-4 time frame in light of their operational requirements.

Since timely submission of documents, which is the responsibility of all author departments, is crucial to timely issuance, all Under-Secretaries-General over the past few years have been requested by the Secretary-General to include a performance measure on timely submission in their annual compact with him. Also, timely submission is expected to be included as an indicator of achievement for all budget programmes in 2010-2011 as part of the accountability system demanded by Member States.

It should be pointed out that the Department for General Assembly and Conference Management is committed to the four-week turnaround of documents submitted on time and within the word limit, and has been close to 100 per cent in meeting that target. Late submission is therefore the primary, if not the only, reason for late issuance.

The benchmark percentage set for timely submission for all author departments is 90 per cent. It is believed that improvement in submission in this regard will result in more timely issuance of documents, as shown by the first five months of 2008, during which time a timely submission rate of 72 per cent and a timely issuance rate of 77 per cent was registered, as compared with 63 per cent and 70 per cent, respectively, during the same period of 2007.

31. At the 2nd meeting, one delegation forwarded the view that the number of documents was excessive and that it was difficult for the Member States to digest them effectively. The same delegation also mentioned that periodic briefings by the Secretary-General were a good practice, which he should be encouraged to continue.

32. With respect to items 34 to 43 (provisions related to the agenda of the General Assembly), many delegations expressed their desire for timely issuance of the annotated preliminary list of items to be included in the provisional agenda of each session of the General Assembly.

33. With respect to items 59 to 72 (provisions related to the General Committee), many delegations stated that the General Committee should not be permitted to take up functions beyond those specified in the rules of procedure of the General Assembly.

B. Cluster II

(selection of the Secretary-General)

34. A number of delegations expressed strong dissatisfaction that no provisions in Cluster II had been implemented and wondered whether the General Assembly should adopt another resolution on the subject. Other delegations responded that the mandate of the Working Group was to assess the status of the implementation of past resolutions rather than to discuss a new resolution on the selection of the Secretary-General. During the 2nd meeting of the Working Group, delegations took up item 5 (formal presentation of candidatures), and wondered why no formal meetings had taken place for candidates to present their views to Member States. At the same meeting, other delegations suggested that if this subject were to be

addressed by the Member States, it should be done either during the sixty-second or sixth-third sessions of the General Assembly, sufficiently prior to the expiration of the current term of the Secretary-General. Other delegations noted this proposal with interest. Some delegations recalled the importance of the relevant Article of the Charter and the relevant General Assembly resolutions.

C. Cluster III

(role and authority of the General Assembly)

35. With respect to items 4 to 7 (provisions related to the financial, logistic and technical support for the President of the General Assembly), differing views were expressed as to whether the provisions had been implemented sufficiently or not. A number of delegations pointed out that the budget allocated to the Office of the President of the General Assembly had not increased for some time. In addition, some Member States noted that there was a need to address the lack of institutional memory in the Office of the President of the General Assembly between different sessions. Some technical, financial and logistical aspects related to the practical functioning of the Office of the President, including the support provided by the Secretariat, need to be clarified.

36. With regard to the support provided by the Secretariat to the President of the General Assembly and his Office, the Secretariat made the following clarification concerning the current arrangements:

Summary of resources given to the Office of the President of the General Assembly

Resources come from several different sources:

Budget (Department for General Assembly and Conference Management)

In the report of the Secretary-General on the proposed programme budget for the biennium 1998-1999 (A/52/303 and Corr.1), a budget of $250,000 was established for the Office. The budget, adjusted annually for inflation, is to be used for the reimbursement of all official travel, hospitality and incidental office expenses (currently approximately $290,000).

Staffing (Department for General Assembly and Conference Management)

Recruited by the President of the General Assembly:

1 D-2 — Chef de Cabinet

1 D-2 — Deputy Chef de Cabinet

1 D-1 — Adviser

1 P-5 — Adviser

1 General Service (currently webmaster)

Supplied from within DGACM budget:

2 Professional-level staff

2 General Service staff

Travel (Department for General Assembly and Conference Management)

At the written invitation of, inter alia, a Government or international or regional organization, the President is entitled to reimbursement for travel and daily subsistence allowance for a party of three (including the President). Similar to the Secretary-General, the President is entitled to first class travel status.

Official vehicle (Department of Management)

The President is provided with a car and driver to be used for official purposes.

Security officers (Department of Safety and Security)

The President has a detail of two security officers on a routine basis, including during travel, in support of official functions.

Spokesperson (Department of Public Information)

The President is entitled to select a Spokesperson for his/her term of Office.

37. With respect to items 11 to 18 (provisions related to the annual report of the Security Council), several delegations expressed their disappointment with what they saw as a lack of response by the Council, including the insufficient improvement of the quality of its annual report and the non-issuance of special subject-oriented reports to the General Assembly as envisaged in item 12. Many also stated that they did not agree with the note for item 12 that "the special subjects are to some extent covered by the monthly assessment". Some delegations, while acknowledging the need for further progress, recalled some ongoing improvements to the quality of the annual report of the Security Council.

38. With respect to items 22 to 25 (provisions related to the public relations activities), several delegations emphasized the importance of public relations efforts concerning the work of the General Assembly. In response to delegations' comments, the co-chairs stated that the content of specific public relations activities by the Secretariat should be discussed in the framework of the Committee on Information. Delegations asked why no assistant to the Spokesperson for the President of the General Assembly had been provided since January 2008. The Secretariat provided the following explanation:

> The Department of Public Information considers it a priority every year to identify a suitable staff member who can provide excellent information support to the President of the General Assembly. Department staff members have been serving as Spokespersons for the President for many years.
>
> Additional administrative support at the General Service level has never been part of this arrangement, and such support was only granted on an exceptional basis and for a limited time period. No post is available in the Department of Public Information to cover these functions, and the Department's Executive Office has been obliged to identify a series of temporarily vacant posts against which these functions could be charged on an

ad hoc basis. Such an arrangement was barely tenable during the limited time period for which it was granted, but has now, under even tighter budget conditions and with a mandated increase in the vacancy rate, become fully unsustainable.

The Department of Public Information finds itself unable to provide additional administrative support beyond the long-standing arrangement to cover the functions of a spokesperson for the President, which the Department is pleased to honour.

39. In response to the request regarding indicators showing the degree of improvement in the enhancements of public awareness over the work of the General Assembly and efforts to better publicize it, the Department of Public Information prepared information on its activities in this regard as well as the relevant decisions of the General Assembly.[4]

40. With respect to items 32 and 33 (provisions related to interactive/thematic debates), several delegations commended the President of the General Assembly for the practice of holding thematic debates, but many wondered to what extent views expressed by the Member States at those debates were reflected in subsequent decisions by the Member States and the Secretariat.

41. With respect to item 34 (inform Member States about outcomes), several delegations asked why no regular information had been presented to the Member States about the outcome of periodic meetings between the Presidents of the General Assembly, the Security Council and the Economic and Social Council. The Secretariat read out the following explanation by the Office of the President of the General Assembly:

The President of the General Assembly meets the President of the Security Council every month to discuss the monthly programme of work and other matters. He also meets the President of the Economic and Social Council periodically, and their most recent discussions covered global food security and the election by their respective bodies of the members of the Peacebuilding Commission.

The President of the General Assembly reports the result to Member States in various formats, including through the General Committee and chairpersons of the regional groups.

III. Conclusions

42. In accordance with its mandate, the Working Group endeavoured to examine the status of implementation of relevant provisions related to revitalization and to identify the problems having the greatest impact on the effectiveness and efficiency of the General Assembly.

43. Apart from individual comments on specific subjects, many aspects of the revitalization process were investigated throughout the discussions, as reflected in the present report.

[4] That information will be issued in an addendum to the present report.

44. It is the opinion of the Ad Hoc Working Group that the following elements appear to be common areas that require the additional attention of Member States:

(a) The process of implementation of relevant provisions on revitalization should be continued and carefully monitored, and practical proposals in that regard might include:

(i) Member States might wish to prepare a working paper compiling provisions on revitalization that continue to be relevant to the day-to-day conduct of business of the General Assembly,

(ii) The Secretary-General should continue to report on the implementation of resolutions on revitalization, taking the co-chairs' chart as a model;

(iii) The Secretary-General, in his annual report on the work of the organization, could present information on a number of mandates adopted within the year, including their implementation status;

(b) The question of modern technologies (including the General Assembly voting system) needs further consideration, and for that purpose:

(i) The Secretariat might update the document entitled "General Assembly paper ballot voting proposals" prepared in May 2007 or present other proposals, corresponding with arrangements made in the context of the capital master plan;

(ii) The financial aspects of proposals on changing the voting system should be clarified within the Fifth Committee and in the context of financial provisions for the capital master plan.

IV. Adoption of the report of the Ad Hoc Working Group

45. At its 7th meeting, on 11 September 2008, the Ad Hoc Working Group considered and adopted a draft resolution (see para. 46 below) and the present report for consideration by the General Assembly at its sixty-second session.

V. Recommendations

46. At its 7th meeting, on 11 September 2008, the Ad Hoc Working Group on the Revitalization of the General Assembly concluded its work for the sixty-second session of the General Assembly. The Working Group decided to recommend to the General Assembly the adoption of the following draft resolution:

Revitalization of the work of the General Assembly

The General Assembly,

Reaffirming its previous resolutions relating to the revitalization of its work, including resolutions: 46/77 of 12 December 1991, 47/223 of 17 August 1993, 48/264 of 29 July 1994, 51/241 of 31 July 1997, 52/163 of 15 December 1997, 55/14 of 3 November 2000, 55/285 of 7 September 2001, 56/509 of 8 July 2002, 57/300 of 20 December 2002, 57/301 of 13 March 2003, 58/126 of 19 December 2003, 58/316 of 1 July 2004, 59/313 of 12 September 2005, 60/286 of 8 September 2006 and 61/292 of 2 August 2007,

Stressing the importance of implementing resolutions in the revitalization of its work,

Recognizing the need to further enhance the role, authority, effectiveness and efficiency of the General Assembly,

1. *Takes note with appreciation* of the report of the Ad Hoc Working Group on the Revitalization of the General Assembly established by resolution 61/292;[1]

2. *Decides* to establish, at its sixty-third session, an ad hoc working group on the revitalization of the General Assembly, open to all Member States, in order:

(a) To identify further ways to enhance the role, authority, effectiveness and efficiency of the Assembly, inter alia by building on previous resolutions;

(b) To submit a report thereon to the General Assembly at its sixty-third session.

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[1] A/62/952.

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Security Council

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Sixty-second session
Agenda item 16
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-third year

Identical letters dated 9 August 2008 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit the texts of Ordinance No. 402 of the President of Georgia (annex I), the letter of the Minister for Foreign Affairs of Georgia (annex II) and the decision of the Parliament of Georgia of 9 August 2008 on the Declaration of the State of War on the Whole Territory of Georgia and Full Mobilization (annex III).

I should be grateful if the present letter and its annexes could be circulated as documents of the sixty-second session of the General Assembly, under agenda item 16, "Protracted conflicts in the GUAM area and their implications for international peace, security and development", and of the Security Council.

(*Signed*) Irakli **Alasania**
Ambassador
Permanent Representative

08-50165 (E) 110908

Annex I to the identical letters dated 9 August 2008 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

It is an honour and privilege to address you. I would like to inform you of the following issue:

On August 9, 2008, the President of Georgia invoked his right under Articles 73 (1) (f) and 46 (1) of the Constitution of Georgia and declared the state of war on the whole territory of Georgia for 15 days by Ordinance No. 402. On the same day, the declaration of the state of war was approved by the Parliament of Georgia.

The decision was made after military aggression of the Russian Federation against Georgia on August 8, 2008 that continue as for today. As a result of invasion, civilian objects, hospitals, residential sites and critical infrastructure have been bombed throughout the country causing casualties among civilian population and destruction of property.

Under these circumstances, the right of self-defence remained the only adequate and necessary measure, as proclaimed by Article 98 of the Constitution of Georgia, Article 51 of the United Nations Charter and customary international law. Therefore, the necessity existed to resort to use of force with the aim of putting an end to the armed attacks and avoiding further escalation of the situation.

No derogation from any of the rights guaranteed by the International Covenant on Civil and Political Rights has been declared at this stage. In case there is such a necessity, the Government of Georgia will inform the United Nations in due course.

We will keep you informed about any further developments on the issue.

The copy of Presidential Ordinance No. 402 on Declaration of the State of War on the Whole Territory of Georgia and Full Mobilization is attached.

(*Signed*) Eka **Tkeshelashvili**

Annex II to the identical letters dated 9 August 2008 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Ordinance of the President of Georgia on the Declaration of the State of War on the Whole Territory of Georgia and Full Mobilization

No. 402 ***9 August 2008*** ***Tbilisi***

In the last few days, the situation in the former Autonomous Region of South Ossetia has been deteriorated. The separatist forces are violating human rights and fundamental freedoms on massive scale. Armed attacks and violence against civilians take place. As a result of the above-mentioned actions, human casualties are registered among civilians as well as peacekeepers. Tens of civilians are wounded and their property destroyed.

Despite the unilateral decision of the Government of Georgia to cease fire and the offer of peace talks, the separatists launched massive scale attacks against civilian population on August 7-8, 2008. The Government of Georgia has taken necessary and proportionate measures to stop an armed attack.

The activities of the separatist forces in the territory of Georgia have been actively supported by the Russian Federation. In particular, on August 8, hundreds of armed personnel and armored vehicles entered the territory of Georgia through Roki tunnel.

On August 8, fighter jets of the Russian Federation intruded into airspace of Georgia on multiple occasions and carried out bombardments of cities of Kareli, Gori and the adjacent villages ; They also bombed the villages of Tskhinvali region, Vaziani Military Base and Marneuli Military Aerodrome. The battacks caused casualties among civilian population and the destruction of buildings.

Later, Senaki Airport, Senaki Military Base and Railway Station, as well as Poti Sea Port, Ship-building Factory, railway join were bombed. On August 9, Kopitnary airport, Gori Railway Station and civilian houses were bombed, which caused civilian casualties. During last hours the Russian Federation pursued its aggressive activities in Abkhazia. Majority of the above territories are situated 200-300 km away from Tskhinvali region. Consequently, the aggressive armed attack of the Russian Federation went far beyond the conflict territory and involves practically the whole territory of Georgia.

In light of all the above mentioned, it is evident that Russian Federation is carrying out indirect as well as direct armed attack against Georgia.

Indirect attack is materialized by the full support of the separatist forces , provision of armed equipment and ammunitions, committed by Russian officials holding high level posts in the self proclaimed republic of South Ossetia (Minister of Defense, Interior Minister, Secretary of Security Council, Prime Minister). Direct attack by the Russian Federation is evident from active, intensive and continuous armed activities that, *inter alia*, included violation of airspace of Georgia on multiple occasions and massive bombardments. The Black Sea military fleet and infantry units have been used

as well. These actions, by their nature and scale, are in full compliance with the definition of armed attack recognized by international law and should be qualified as such.

In these circumstances, the right of self-defense remains the only adequate and necessary measure, as proclaimed by the Article 98 of the Constitution of Georgia, Article 51 of the UN Charter and customary international law. Therefore, the necessity exists to resort to use of force that is aimed at putting an end to the armed attack and to avoid further escalation of the situation.

Due to the current circumstances, in order to avoid destabilization in the region, to suppress armed attacks and violence against civilian population, to ensure the protection of human rights and freedoms, pursuant to Article 73 (1)(g), Article 98 and Article 100 (1) of the Constitution of Georgia, the law of Georgia on State of War and Article 6 (a) of the law of Georgia on Mobilization:

1. State of war on the whole territory of Georgia shall be declared.

2. State of war shall remain in force for the period of fifteen (15) days.

3. In relation to the State of war, full mobilization shall be declared and Military Forces shall be used to suppress an armed attack.

4. The Decree shall be immediately published through mass media and afterwards (for a period of one day) shall be repeatedly transmitted on Public Broadcaster every two (2) hours;

5. The Decree shall be submitted to the Parliament of Georgia for approval within forty-eight (48) hours.

6. The Ministry of Foreign Affairs of Georgia (E. Tkeshelashvili) shall immediately inform the Secretary-General of the United Nations, the Secretary-General of the Council of Europe, other respective international organizations and the Heads of the accredited diplomatic missions to Georgia about the declaration of Martial law.

7. The present Decree shall enter into force upon signature and be immediately published in the Official Gazette.

President of Georgia **Mikheil Saakashvili**

Annex III to the identical letters dated 9 August 2008 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Decision of the Parliament of Georgia

On the endorsement of Ordinance No. 402, Decree of the President of Georgia, 9 August 2008, on the Declaration of the State of War on the Whole Territory of Georgia and Full Mobilization

The Parliament of Georgia decides:

1. In accordance with Article 62, Article 100 (l) of the Constitution of Georgia, of Article 2 (2) of the Law of Georgia "On the State of War", Article 238 (l) and Article 239 (l) of the Regulation of the Parliament of Georgia, to endorse N402 Decree of the President of Georgia, 9 August 2008, "On Declaration of the State of War on the Whole Territory of Georgia and the Full Mobilization";

2. That the decision shall come into force immediately.

David **Bakradze**
Chairman of the Parliament of Georgia

Tbilisi
9 August 2008

United Nations A/62/954–S/2008/604

General Assembly
Security Council

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15 September 2008
English
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General Assembly
Sixty-second session
Agenda item 17
The situation in the Middle East

Security Council
Sixty-third year

Identical letters dated 11 September 2008 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations committed from 15 to 21 August 2008 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-second session of the General Assembly, under agenda item 17, and of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

08-50625 (E) 160908 170908

Annex to the identical letters dated 11 September 2008 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Israeli violations, acts of aggression and other activities from 15 to 21 August 2008, inclusive

Air violations

On 15 August 2008, between 0815 and 1350 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Naqurah. It circled over the South before leaving over Rumaysh.

On 17 August 2008:

- Between 1115 and 1130 hours, two Israeli enemy warplanes violated Lebanese airspace. They entered over the sea off Batrun and headed north as far as Tripoli before leaving over the sea off Tripoli, heading in the direction of Turkey;
- Between 1100 and 1250 hours, two Israeli enemy warplanes violated Lebanese airspace over Shab'a Farms. They circled over the South and Beirut before leaving over Rumaysh;
- At 0715 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South and Beirut before leaving over the sea off Naqurah at 0015 hours on 18 August 2008.

On 18 August 2008, between 1002 and 1100 hours, four Israeli enemy warplanes violated Lebanese airspace, entering over Yarun. They circled between Beirut and the South, over sea and land, before leaving over Alma al-Sha'b.

On 19 August 2008, between 0630 and 2145 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Kafr Killa. It circled over Beirut and the South before leaving over Rumaysh.

On 20 August 2008, between 0850 and 2020 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b and heading north as far as Beirut. It circled over Beirut, the South and the Bekaa before leaving over Naqurah.

On 21 August 2008:

- Between 1055 and 1235 hours, an Israeli enemy reconnaissance aircraft circled over the areas of Bint Jubayl and Tibnin;
- Between 1200 and 1340 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering from over the sea. It circled between Beirut and Tyre before leaving over the sea off Naqurah;
- Between 1610 and 1625 hours, an Israeli enemy reconnaissance aircraft circled over the area of Naqurah.

Acts of aggression in the field

On 19 August 2008:

- Between 1310 and 1400 hours, Israeli enemy forces, from their Radar position inside the occupied Shab'a Farms, fired a number of rounds of light- and medium-weapons fire and launched smoke bombs towards the perimeter of the aforementioned position;
- At 2212 hours, the Israeli enemy shone a laser beam for one minute from its position opposite Labbunah in the direction of Labbunah, Ra's Naqurah and Lebanese territorial waters.

Israeli activities

On 18 August 2008:

- Between 0830 and 1000 hours, an Israeli enemy convoy comprising seven vehicles (three Merkava tanks, three trucks and a Hummer vehicle) proceeded from the Ruwaysat al-Alam position towards the Radar position inside the occupied Shab'a Farms, launching several smoke bombs as it moved. Troops from the convoy erected an observation post approximately 1 km south of the Radar position;
- Between 1100 and 1900 hours, an Israeli enemy bulldozer raised earthen berms at the Radar position inside the occupied Shab'a Farms. Heavy vehicles were also observed moving inside the Farms area.

On 21 August 2008, a recorded message was received by several mobile telephones in the South. The message was as follows: "The State of Israel would like to know if you have any information regarding the pilot Ron Arad. Press the number one and we will contact you later and give you $10 million".

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General Assembly

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Sixty-second session
Agenda items 21 and 71 (a)

Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance: strengthening of the coordination of emergency humanitarian assistance of the United Nations

Letter dated 8 September 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the statement issued on 6 September 2008 by the Ministry of Foreign Affairs of the Republic of Cuba concerning note verbale No. 646 of 3 September from Thomas Shannon, Assistant Secretary of State for Western Hemisphere Affairs of the United States Department of State, addressed to the Head of the Cuba Interests Section in Washington (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda items 21 and 71 (a).

(*Signed*) Rodrigo **Malmierca Díaz**
Permanent Representative
Permanent Mission of Cuba to the United Nations

08-50667 (E) 180908 180908

Annex to the letter dated 8 September 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Statement by the Ministry of Foreign Affairs of Cuba

6 September 2008

Last Wednesday, 3 September, at 4.45 p.m., the Assistant Secretary of State for Western Hemisphere Affairs, Thomas Shannon, transmitted to the Head of the Cuba Interests Section in Washington note verbale No. 646, expressing "deepest regret for the destruction caused by hurricane Gustav" and stating that the United States would be prepared to "offer immediate and initial humanitarian assistance of relief supplies to the Cuban people through an appropriate international relief organization".

An identical note was later sent to the Ministry of Foreign Affairs by the United States Interests Section in Havana.

In that note, the Government of the United States also requests the Government of Cuba to "allow a United States humanitarian assessment team to visit Cuba to inspect the affected areas to properly assess damage".

On Saturday, 6 September, at 8.55 a.m., the Ministry of Foreign Affairs transmitted to the Department of State through the Cuba Interests Section in Washington, and simultaneously to the United States Interests Section in Havana, note No. 1866 conveying its appreciation for the expressions of regret by the Government of the United States at the destruction caused in Cuba by hurricane Gustav.

The note states further that Cuba does not require the assistance of a humanitarian assessment team to assess damage and needs, as it has a sufficient number of specialists, who have almost concluded that task.

The note of the Ministry of Foreign Affairs also states that if the Government of the United States genuinely wishes to cooperate with the Cuban people in the face of the tragedy of the hurricane, it is should allow the sale of essential materials to Cuba and suspend the restrictions that prevent United States companies from offering private commercial credits to Cuba for the purchase of food in the United States.

A widespread public debate has begun in the United States over the past few hours about the position that the Government of the United States should adopt in the face of the severe damage caused by hurricane Gustav in Cuba.

During the afternoon of 4 September, the Democratic presidential candidate, Barack Obama, requested the suspension, for no less than 90 days, of restrictions on travel and the sending of remittances and assistance to family members in Cuba by Cuban residents in the United States.

The Ministry of Foreign Affairs considers that restrictions on travel and remittances by residents of Cuban origin in the United States should never have been imposed. It is not Cuba but the United States that deprives persons of Cuban origin of this right.

If these rights were restored to Cubans for humanitarian reasons, there would be no way to justify the maintenance of this prohibition, which is equally unjust and discriminatory, for United States citizens.

Today, even as a hurricane watch has been issued in the eastern part of the country as a result of the threat posed by hurricane Ike, which is as powerful as Gustav, Cuba reiterates that the only correct and ethical course of action that would be respectful of international law and of the near unanimous will of the United Nations General Assembly, would be a complete and permanent end to the stringent and cruel economic, commercial and financial embargo imposed against our nation for nearly half a century, including the harassment of Cuban commercial and financial operations in third countries which, according to conservative estimates, causes annual damages greater than those caused by hurricane Gustav.